

(JAB 21811)
SCANNED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

v. :

VITESSE SEMICONDUCTOR CORPORATION, :
LOUIS R. TOMASETTA, EUGENE F. :
HOVANEC, YATIN D. MODY, AND :
NICOLE R. KAPLAN :

Defendants. :
-----X

Case No. 10-cv-9239 (JSR)

ECF Case

**MOTION FOR ADMISSION OF
ATTORNEY *PRO HAC VICE*
AND MEMORANDUM IN
SUPPORT**

PLAINTIFF SECURITIES AND EXCHANGE COMMISSION moves for the admission of attorney Terence M. Healy, a member in good standing of the bar the District of Columbia, to appear in this matter *pro hac vice*. In support of this motion, Plaintiff states as follows:

1. Mr. Healy is an Assistant Chief Litigation Counsel for the Securities and Exchange Commission. His office address is 100 F Street, NE, Washington, DC 20549.

2. Mr. Healy was admitted to practice before the District of Columbia Court of Appeals on June 3, 1994. (Ex. 1, Certificate of Good Standing.) He is an active member, in good standing, of the District of Columbia bar. (*Id.*).

3. Mr. Healy has never been held in contempt or sanctioned by any court. (Ex. 2, Declaration).

4. In addition to the District of Columbia Courts of Appeals, Mr. Healy is admitted to the bars of the Maryland Court of Appeals, Supreme Court of the United States, United States Court of Appeals for the District of Columbia Circuit, United States Court of Appeals for the Eleventh Circuit, and the United States District Court for the District of Arizona, the United States District

Court for the District of Columbia, and the United States District Court for the Eastern District of Wisconsin.

5. Mr. Healy is familiar with the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and the local rules of this Court. He will faithfully adhere to those rules as they apply to his conduct in this case.

WHEREFORE, Plaintiff respectfully asks the Court to grant Mr. Healy admission to appear in this matter *pro hac vice*. A proposed order is attached.

February 9, 2011

Respectfully submitted,



Alan M. Lieberman (AL-6517)
Securities and Exchange Commission
100 F St. NE
Washington, D. C. 20549
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Fax: (202) 772-9245
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CERTIFICATE OF SERVICE

On this 9th day of February 2011, a copy of the foregoing was served by first class mail on the following counsel of record:

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Alan M. Lieberman

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ORDER

Upon consideration of Plaintiff's Motion for Admission of Attorney *Pro Hac Vice* and any response thereto, it is this ____ day of _____ 2011

ORDERED that the motion is hereby GRANTED and attorney Terence M. Healy is admitted to appear in this matter on behalf of the Securities and Exchange Commission.

So Ordered.

HON. JED S. RAKOFF



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

TERENCE M. HEALY

was on the 3RD day of JUNE, 1994

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on February 8, 2011.

JULIO A. CASTILLO
Clerk of the Court

By:

A handwritten signature in cursive script, appearing to read "H. Hone", is written over a horizontal line.

Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DECLARATION OF TERENCE M. HEALY

I am over twenty-one years of age and competent to testify. All of the statements below are based on my personal knowledge.

1. I am an Assistant Chief Litigation Counsel for the Securities and Exchange Commission. My office address is 100 F Street, NE, Washington, DC 20549.

2. I was admitted to practice before the District of Columbia Court of Appeals on June 3, 1994. I am an active member, in good standing, of the bar.

3. I have never been sanctioned or held in contempt by any court.

4. In addition to the District of Columbia Courts of Appeals, I am a member of the bar of the following courts:

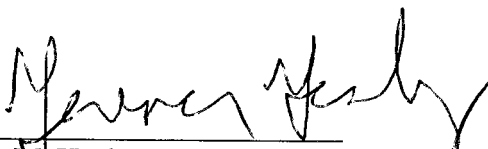
Maryland Court of Appeals
Supreme Court of the United States,
United States Court of Appeals for the District of Columbia Circuit,
United States Court of Appeals for the Eleventh Circuit,
United States District Court for the District of Arizona,
United States District Court for the District of Columbia, and
United States District Court for the Eastern District of Wisconsin.

5. I have also entered appearances before these additional courts:

Supreme Court of Indiana,
United States District Court for the Western District of Michigan,
United States District Court for the District of Connecticut,
United States District Court for the Southern District of Texas,
United States District Court for the Western District of Pennsylvania,
United States District Court for the Eastern District of Pennsylvania,
United States District Court for the District of South Carolina,
United States District Court for the Southern District of West Virginia,
United States District Court for the Southern District of Florida,
United States District Court for the District of New Mexico,
United States District Court for the District of Guam,
United States District Court for the Central District of California,
United States District Court for the District of New Jersey,
United States District Court for the Eastern District of Arkansas,
United States District Court for the Northern District of Illinois,
United States District Court for the Eastern District of New York,
United States District Court for the Western District of Louisiana,
United States District Court for the District of Massachusetts,
United States District Court for the Northern District of Georgia,
United States District Court for the Middle District of Florida,
United States District Court for the Eastern District of Kentucky,
United States District Court for the Eastern District of Michigan, and
United States District Court for the Southern District of Illinois.

5. I am familiar with the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and the local rules of this Court. I will faithfully adhere to those rules as they apply to my actions in this case.

I declare under penalty of perjury that the foregoing is true and correct, this 9th day of February 2011.



Terence M. Healy